

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

**STEVEN A.W. DE JARAY,
PERIENNE DE JARAY,
DARRELL R. OSWALD, and
APEX-MICRO MANUFACTURING
CORPORATION,**

Plaintiffs,

v.

**LATTICE SEMICONDUCTOR
CORPORATION,**

Defendant.

Case No. 3:19-cv-86-SI

**ORDER ON OBJECTIONS TO
SUPPLEMENTAL DEPOSITION
EXCERPTS**

Joshua Berman, Elizabeth A. Moore, Zachary D. Melvin, Laura Logsdon, and Rita A. Fishman, PAUL HASTINGS LLP, 200 Park Avenue, New York, NY 10166; Isaac S. Glassman and Kimberly Anne Havlin, WHITE & CASE LLP, 1221 Avenue of the Americas, New York, NY 10020; Scott T. Weingaertner, GOODWIN PROCTER LLP, 620 Eighth Avenue, New York, NY 10018; and Timothy S. DeJong, Lydia Anderson-Dana, and Elizabeth K. Bailey, STOLL STOLL BERNE LOKTING & SHLACHTER PC, 209 SW Oak Street, Suite 500, Portland, OR 97204, Of Attorneys for Plaintiffs.

Derek F. Foran, STEPTOE LLP, One Market Plaza, Steuart Tower, Suite 1070, San Francisco, CA 94105; Geoffrey L. Warner, STEPTOE LLP, 633 West Fifth Street, Suite 1900, Los Angeles, CA 90071; Andrew J. Sloniewsky, STEPTOE LLP, 1330 Connecticut Avenue NW, Washington, D.C. 20036; James P. Bennett and Wendy J. Ray, THE NORTON LAW FIRM PC, 299 Third Street, Suite 200, Oakland, CA 94607; and Nicholas F. Aldrich Jr., Scott D. Eads, and Jason A. Wrubleski, SCHWABE, WILLIAMSON & WYATT, PC, 1211 SW Fifth Avenue, Suite 1900, Portland, OR 97204. Of Attorneys for Defendant.

Michael H. Simon, District Judge.

The Court has received the Parties' Supplemental Deposition Designations, Objections, and Responses, relating to three additional witnesses whose deposition testimony the parties seek to present to the jury in lieu of live testimony.¹ ECF 450. This Order resolves the parties' objections contained in that filing.

ORDER REGARDING TIME COMPUTATION

With the stipulation of the parties, the Court has imposed time limits of 30 hours per side for all direct, cross, re-direct, and re-cross examinations of witnesses, to be measured "chess-clock" style. This limit includes all examinations presented by deposition in lieu of live testimony as well as all testimony presented live at trial. The Court Orders all parties to file not later than the end of the first day of trial, a statement of the time to be charged to Plaintiffs and the time to be charged to Defendant for each of the witnesses who will be presented to the jury by deposition rather than by live testimony.

DISCUSSION

A. Scott Roberts (ECF 450-1)

Mr. Roberts was a Lattice employee between 2002 and 2009, serving as Lattice's Regional Sales Manager.

<u>Page and Line Nos.</u>	<u>Objecting Party</u>	<u>Ruling</u>
25:22-26:3	Defendant	Overruled
38:6-9	Defendant	Overruled
39:14-20	Defendant	Overruled

¹ The three witnesses are: (1) Scott Roberts; (2) Heather States; and (3) Randy Wood. The Court uses the descriptions of these witnesses as stated in the parties' Joint Stipulation of Persons and Acronyms. ECF 422.

40:21-41:2	Defendant	Overruled
54:17-55:3	Defendant	Overruled
62:4-9	Defendant	Overruled
73:6-75:2	Defendant	Overruled
75:19-25	Defendant	Overruled
76:11-18	Defendant	Overruled
97:11-98:15	Defendant	Overruled
100:10-14	Defendant	Overruled
100:15-102:16	Defendant	Overruled
110:22-111:11	Defendant	Overruled
131:6-22	Defendant	Overruled
199:5-21	Defendant	Overruled
200:1-8	Defendant	Overruled
260:23-261:20	Plaintiffs	Overruled
339:22-341:21	Plaintiffs	Overruled

B. Heather States (ECF 450-2)

Ms. States was an employee of Apex-Micro Manufacturing Corporation from 2000 to 2009, serving as a shipper/receiver from 2005 to 2009.

<u>Page and Line Nos.</u>	<u>Objecting Party</u>	<u>Ruling</u>
142:25-143:11	Defendant	<i>Sustained</i>
144:3-5	Defendant	<i>Sustained</i>
149:9-150:18	Defendant	Overruled
204:10-205:2	Plaintiffs	Overruled
205:12-24	Plaintiffs	Overruled

C. Randy Wood (ECF 450-3)

Mr. Wood was an employee of NAT Seattle, Inc. between 2004 and 2005, serving as its Seattle's Operations Manager.

<u>Page and Line Nos.</u>	<u>Objecting Party</u>	<u>Ruling</u>
49:21-50:1	Defendant	<i>Sustained</i>
50:3-8	Defendant	<i>Sustained</i>
50:22-51:13	Defendant	<i>Sustained</i>
57:20-58:4	Defendant	Overruled
63:8-69:5	Defendant	<i>Plaintiffs withdraw designation</i>
75:7-16	Defendant	Sustained
76:22-77:5	Defendant	<i>Sustained</i>

CONCLUSION

The Court resolves the objections set forth in the Parties' Supplemental Deposition Designations, Objections, and Responses (ECF 450) as stated in this Order.

IT IS SO ORDERED.

DATED this 23rd day of January, 2024.

/s/ Michael H. Simon
Michael H. Simon
United States District Judge